

To the Commission:

This responds to all comments favorable to the Notice of Proposed Rulemaking in this docket. It is my belief, and I have submitted a Motion to the Commission in this regard, that the Commission lacks the requisite authority and jurisdiction to determine usage and spectral purity of electric power companies and their transmission lines. Congress granted that jurisdiction concurrently to the Federal Energy Regulatory Commission and the various State Utility Regulatory Agencies pursuant to Chapter 46 of Title 16, United States Code. As such, I urge the Commission to dismiss these proceedings until it possesses concurrent jurisdiction with those agencies.

Respectfully Submitted:

/s./ James E. Whedbee, M.Ed.
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